

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/919,635	07/31/2001	Garry P. Nolan	A-64260-4/RMS/AMS

CONFIRMATION NO. 6702

FORMALITIES LETTER



OC00000006484167

ELEHR HOFBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

Date Mailed: 08/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/15/2002 AGOITOM 00000121 09919635

01 FC:205

65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

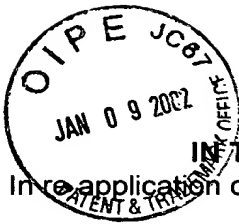
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT APPLICATION
Attorney Docket No.: A-64260-4/RMS/AMS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GARRY P. NOLAN, et al.

Serial No.: 09/919,635

Filing Date: July 31, 2001

For: **Methods for Screening for
Transdominant Intracellular Effector
Peptides and RNA Molecules**

Examiner: Not Assigned

Group Art Unit: 2781

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231 on October 29, 2001.

Signature: Lisa Jeanetta

Lisa Jeanetta

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed August 28, 2001, a copy of which is enclosed, Applicants timely submit the following:

Applicant is entitled to claim small entity status (37 § CFR 1.27).

- ☒ Declaration.
- ☒ Preliminary Amendment Re Sequence Listing.
- ☒ Paper Copy of Sequence Listing and Disk Containing Sequence Listing.
- ☒ Request for Corrected Filing Receipt.
- ☒ A check is enclosed for **\$65.00** for the small entity surcharge (\$65.00/surcharge).

The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File A-64260-4/RMS/AMS).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

By

Robin M. Silva

Robin M. Silva
Reg. No. 38,304

Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187
Telephone: (415) 781-1989



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PATENT APPLICATION
Attorney Docket No.: A-64260-4/RMS/AMS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GARRY P. NOLAN, et al.

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Signature: _____

Lisa Jeanetta

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

Sir:

Appended hereto is a copy of the Official Filing Receipt for the above-identified patent application with the errors indicated in red.

Under ATTY DOCKET NO, change "A-64260-5/RMS/AMS" TO --A-64260-4/RMS/AMS--.

Under TOT CLAIMS, change "28" to --46--.

Under Domestic Priority data as claimed by applicant, second line, change "WHICH IS A CON OF 08/963,368 11/13/1997" to --WHICH IS A CON OF 08/963,368 11/03/1997--.

Serial No.: 09/919,635
Filed: July 31, 2001
Art Unit: 2781

We respectfully request that a Corrected Official Filing Receipt be issued with the corrections indicated above.

Applicant believes that the errors described above are due to United States Patent and Trademark Office errors and that no fee is due and payable for a Corrected Filing Receipt. Nonetheless, should the United States Patent and Trademark Office believe otherwise, the Commissioner is hereby authorized to charge the \$25.00 surcharge due under 37 CFR 1.19(h) to Deposit Account No. 06-1300 (Our File A-64260-4/RMS/AMS). The Commissioner is also hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 06-1300 (Our File A-64260-4/RMS/AMS).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Date: 10/29/01

By Robin M. Silva

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
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09/919,635

07/31/2001

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A-64260-41
RMS/AMS

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28
46

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CONFIRMATION NO. 6702

FILING RECEIPT



OC00000006488362

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

Date Mailed: 08/28/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Garry P. Nolan, San Francisco, CA;
S. Michael Rothenberg, Palo Alto, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/727,715 11/28/2000/
WHICH IS A CON OF 08/963,368 11/13/1997 * 11/03/1997
WHICH IS A DIV OF 08/789,333 01/23/1997 PAT 6,153,380
AND A CON OF 08/787,738 01/23/1997
WHICH IS A CIP OF 08/589,109 01/23/1996
AND A CIP OF 08/589,911 01/23/1996 ABN
(*) Data inconsistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted 08/27/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Methods for screening for transdominant intracellular effector peptides and RNA molecules

Preliminary Class

395

Data entry by : LE, THANH-LAN

Team : OIPE

Date: 08/28/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
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Washington, DC 20231